

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SEALINK FUNDING LIMITED,

Plaintiff,

6242

No. 12 Civ. ~~6424~~(LTS)(HBP)

-against-

J.P. MORGAN ACCEPTANCE CORP.
I et al.,

Defendants.

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ORDER

Plaintiff Sealink Funding Limited (“Plaintiff”) originally filed this action in New York state court, asserting claims under §§ 11 and 15 of the Securities Act of 1933, 15 U.S.C. §§ 77k, 77j(a) and 77o. Defendants’ notice of removal listed as the sole basis for federal subject matter jurisdiction 28 U.S.C. § 1334(b), which confers jurisdiction over matters “related to” bankruptcy proceedings. Plaintiff now moves for an order remanding this action to New York state Supreme Court.

Plaintiff filed a related action (No. 12 Civ. 1397) asserting New York state law fraud claims, which was subsequently removed, in part, on the basis of “related to” jurisdiction. The Court issued a Memorandum Opinion and Order in the related action on October 9, 2012 (the “Related Case Order”), finding that there was no “related to” jurisdiction and granting Plaintiff’s motion to remand. The Court’s determinations regarding “related to” jurisdiction and the propriety of remand, as set forth in the Related Case Order, are applicable to the instant action. Accordingly, and for substantially the reasons set forth in the Related Case Order, Plaintiff’s motion to remand is granted. The Clerk of Court is directed to effectuate the remand

and close this case. This Memorandum Opinion resolves docket entry no. 9.

SO ORDERED.

Dated: New York, New York
October 9, 2012



LAURA TAYLOR SWAIN
United States District Judge